

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALVARO GAMALIEL COTA,

Defendant.

Case No. 15cr2249-MMA

**AMENDED ORDER OF
CRIMINAL FORFEITURE**

[Doc. No. 33]

On October 23, 2015, this Court entered its Preliminary Order of Criminal Forfeiture, which condemned and forfeited to the United States all right, title and interest of ALVARO GAMALIEL COTA ("Defendant") in the properties listed in the Forfeiture Allegations of the Information, namely,

- (1) **Approximately \$160,000.00 in U.S. currency; and**
- (2) **a 2008 Ford Edge with CA License Plate No. 6RAS011, VIN No. 2FMBDK39C48BB12980; and**

For thirty (30) consecutive days ending on November 28, 2015, the United States published on its forfeiture website, www.forfeiture.gov, notice of the Court's Order and the United States' intent to dispose of the properties in such manner as the Attorney General may direct, pursuant to 21 U.S.C. § 853(n) and Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and further notifying all third parties of their right to petition the

1 Court within thirty (30) days of the final publication for a hearing to adjudicate the
2 validity of their alleged legal interest in the properties.

3 On October 29, 2015, Notice of Order of Forfeiture was sent by FedEx
4 as follows:

<u>Name and Address</u>	<u>Article No.</u>	<u>Result</u>
Ana Martha Prieto-Lona 49612 Phoenix Avenue Coachella, CA 92236	774855508508	Marked as delivered on 11/3/2015.

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8 Thirty (30) days have passed following the final date of notice by publication
9 and notice by FedEx, and no third party has made a claim to or declared any interest
10 in the forfeited properties described above.

11 Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED**
12 that, as a result of the failure of any third party to come forward or file a petition for
13 relief from forfeiture as provided by law, all right, title and interest of ALVARO
14 GAMALIEL COTA and any and all third parties in the following properties are
15 hereby condemned, forfeited and vested in the United States of America:

- 16 **(1) Approximately \$160,000.00 in U.S. currency; and**
17 **(2) a 2008 Ford Edge with CA License Plate No. 6RAS011,
18 VIN No. 2FMBDK39C48BB12980; and**

19 IT IS FURTHER ORDERED that any and all interest of the following persons
20 and entities are specifically terminated and forfeited to the United States of America
21 as to the above-referenced properties:

22 Ana Martha Prieto-Lona,

23 IT IS FURTHER ORDERED that costs incurred by the U.S. Immigration and
24 Customs Enforcement ("ICE") and any other governmental agencies which were
25 incident to the seizure, custody and storage of the properties be the first charge
26 against the forfeited properties.

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1 IT IS FURTHER ORDERED that ICE shall dispose of the forfeited properties
2 according to law.

3 **IT IS SO ORDERED.**

4 DATE: January 4, 2016



5 HON. MICHAEL M. ANELLO
6 United States District Judge

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